

**JUDGE BAER**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

VLADISLAV KLENIKOV (A99075020), and  
ELENA DRONOVA (A99075021)

Plaintiff,

-against-

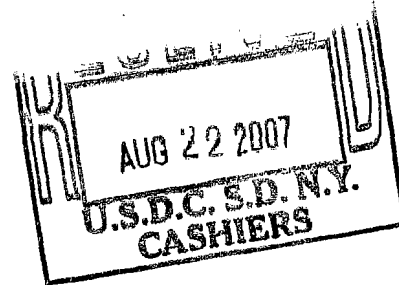
ALBERTO GONZALES, Attorney General;  
MICHAEL CHERTOFF, Secretary, Department  
of Homeland Security; EMILIO GONZALEZ,  
Director, United States Citizenship &  
Immigration Services; PAUL NOVAK, Director,  
Vermont Service Center; ROBERT MUELLER,  
Director, Federal Bureau of Investigation;  
General MICHAEL HAYDEN, Director, Central  
Intelligence Agency; ANDREA  
QUARANTILLO, District Director, New York  
United States Citizenship & Immigration  
Services; DEPARTMENT OF HOMELAND  
SECURITY, UNITED STATES CITIZENSHIP  
& IMMIGRATION SERVICES, FEDERAL  
BUREAU OF INVESTIGATION, and  
CENTRAL INTELLIGENCE AGENCY,

Defendants.

**07 CV 7441**

07 Civ.

COMPLAINT



ECF CASE

Plaintiffs Vladislav Klenikov and Elena Dronova, by their undersigned attorneys,  
alleges as follows:

1. This is an action in the nature of mandamus and for declaratory and  
injunctive relief to compel final agency action that has been unlawfully withheld and  
unreasonably delayed for over two years on an application for adjustment of status to  
lawful permanent residence by an of extraordinary ability and his wife. The action arises

under the Immigration & Nationality Act of 1952, as amended (the “Act”), 8 U.S.C. §§ 1101 et seq. and the Administrative Procedure Act (“APA”), 5 U.S.C. §§ 551 et seq. Subject matter jurisdiction is based upon 28 U.S.C. § 1331, 28 U.S.C. § 1337, and 28 U.S.C. § 1361. This Court may grant relief pursuant to the Act, the APA, and the Declaratory Judgment Act, 28 U.S.C. §§ 2201 et seq., and 28 U.S.C. § 1361.

2. Plaintiffs Vladislav Klenikov and Elena Dronova, husband and wife, reside at 444 W. 35<sup>th</sup> Street, New York, New York within the Southern District of New York.

3. Defendant Alberto Gonzales is sued in his official capacity as the Attorney General of the United States. In this capacity he has responsibility for the administration of the immigration laws pursuant to 8 U.S.C. § 1103, and routinely does and transacts business in the Southern District of New York.

4. Defendant Michael Chertoff is sued in his official capacity as the Secretary of the Department of Homeland Security (“DHS”). In this capacity he has responsibility for the administration of the immigration laws pursuant to 8 U.S.C. § 1103 and routinely does and transacts business in the Southern District of New York.

5. Defendant Emilio Gonzalez is sued in his official capacity as the Director of the United States Citizenship & Immigration Services (“USCIS”) within DHS. In this capacity he has responsibility for the administration of the immigration laws pursuant to 8 U.S.C. § 1103 and routinely does and transacts business in the Southern District of New York.

6. Defendant Paul Novak is sued in his official capacity as the Director of the Vermont Service Center (“VSC”) of the USCIS. In that capacity, he has responsibility for

the adjudication of immigration applications filed with the VSC and routinely does or transacts business in the Southern District of New York by taking or failing to take action that has a substantial impact upon residents of the Southern District of New York. Defendant Andrea Quarantillo is sued in her official capacity as the District Director for the New York office of USCIS and has responsibility for adjudicating immigration applications referred by the Vermont Service Center ("VSC") of USCIS.

7. Defendant Robert Mueller is sued in his official capacity as the Director of the Federal Bureau of Investigation ("FBI") and defendant Michael Hayden is sued in his official capacity as the Director of the Central Intelligence Agency. In their respective capacities, defendants Mueller and Hayden have responsibility for the conduct and completion of background checks for the adjudication of applications before USCIS and routinely do or transact business in the Southern District of New York by taking or failing to take action that has a substantial impact upon residents of the District of New Jersey.

8. Defendants DHS, USCIS, FBI and CIA are made party defendants for purposes of obtaining declaratory and injunctive relief pursuant to the APA and the Declaratory Judgment Act.

#### IMMIGRANT PREFERENCES

9. In general, the Act allocates immigrant visas based upon preferences grounded in family or employment relationships, as described in Section 203 of the Act, 8 U.S.C. §1153. Among those preferences is that in Section 203(b)(1)(A) of the Act, 8 U.S.C. §1153(b)(1)(A) for aliens of extraordinary ability. To establish eligibility for this preference, a preference petition, form I-140, must be filed with the appropriate USCIS

service center. The filing of the I-140 establishes the priority date for visa allocation with respect to this preference category.

10. Plaintiff Vladislav Klenikov is the beneficiary of an approved I-140 petition as an alien of extraordinary ability approved on May 9, 2004. A copy of the approval notice is attached as Exhibit A.

#### ADJUSTMENT TO PERMANENT RESIDENCE

11. In the event that the quota for the intended preference category is current, an alien may concurrently file a preference petition and an application to adjustment status to permanent residence based on the preference under Section 245 of the Act, 8 U.S.C. §1255 and may include his or her spouse in the adjustment application as a derivative beneficiary.

12. The adjustment application is filed by the alien on form I-485. In cases of adjustment based upon an employment preference category, the adjustment application is filed with the USCIS service center for the state in which the alien resides. The applicant will be fingerprinted as part of the application process so that a background check can be done by the FBI. On or about June 21, 2005, Mr. Klenikov and his wife filed applications for adjustment of status with the VSC and these applications were assigned respectively receipt numbers EAC 0518752588 and EAC 0518752599. Copies of these receipts are attached as Exhibit B.

13. To date, despite repeated inquiries, no action has been taken to adjudicate plaintiffs' adjustment applications. Instead, the adjustment applications have simply been transferred from the VSC and confirmed by the case status research reports from the USCIS website, copies of which are attached as Exhibit C. The plaintiffs have satisfied

all requirements for adjustment of status to permanent residence and their cases are now some over a year beyond the reported processing time for such applications as shown by current processing times from the VSC, a copy of which report is attached as Exhibit D. The continuing failure of the defendants to adjudicate plaintiffs' adjustment applications is arbitrary, capricious, an abuse of discretion and contrary to law.

COUNT ONE

14. Paragraphs 1 through 13 above are repeated and realleged as though fully set forth herein.

15. The continuing failure of the defendants to adjudicate the plaintiffs' adjustment application violates the Act and the APA, 5 U.S.C. § 555(b), which requires federal agencies to conclude matters with reasonable promptness. Under the APA, 5 U.S.C. § 706(1), this Court has the power to compel agency action unlawfully withheld or unreasonably delayed.

COUNT TWO

16. Paragraphs 1 through 13 above are repeated and realleged as though fully set forth herein.

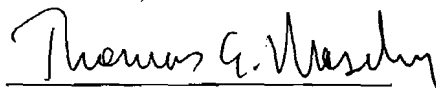
19. The continuing failure of the defendants to take action required by law is subject to correction by mandamus under 28 U.S.C. § 1361.

WHEREFORE, the plaintiffs Vladislav Klenikov and Elena Dronova demand judgment against the defendants:

- (a) Ordering defendants to adjudicate his adjustment application forthwith, and,
- (b) Granting plaintiff costs and attorneys fees, and,

(c) Granting plaintiff such other and further relief as this Court may deem just and proper.

Dated: New York, New York  
August 20, 2007



THOMAS E. MOSELEY

Office and Post Office Address  
One Gateway Center--Suite 2600  
Newark, New York 07102  
Tel. (973) 622-8176  
Fax (973) 645-9493  
Email [moselaw@ix.netcom.com](mailto:moselaw@ix.netcom.com)  
Attorney Number TM3371  
Attorney for Plaintiffs

EXHIBT A

## UNITED STATES OF AMERICA

|                                    |                                    |  |
|------------------------------------|------------------------------------|--|
| RECEIPT NUMBER<br>EAC-05-055-52314 |                                    | CASE TYPE<br>I140<br>IMMIGRANT PETITION FOR ALIEN WORKER |
| RECEIPT DATE<br>December 20, 2004  | PRIORITY DATE<br>December 17, 2004 | PETITIONER<br>KLENIKOV, VLADISLAV                        |
| NOTICE DATE<br>May 9, 2005         | PAGE<br>1 of 1                     | BENEFICIARY<br>KLENIKOV, VLADISLAV                       |

ANN E. LA RUE  
FRAGOMEN DEL REY  
BERNSEN & LOEWY LLP  
515 MADISON AVENUE  
NEW YORK NY 10022

Notice Type: Approval Notice  
Section: Alien of Extraordinary  
Ability, Sec.203(b)(1)(A)

The above petition has been approved. The petition indicates that the person for whom you are petitioning is in the United States and will apply for adjustment of status. He or she should contact the local INS office to obtain Form I-485, Application for Permanent Residence. A copy of this notice should be submitted with the application, with appropriate fee, to this Service Center. Additional information about eligibility for adjustment of status may be obtained from the local INS office serving the area where he or she lives, or by calling 1-800-375-5283.

If the person for whom you are petitioning decides to apply for a visa outside the United States based on this petition, the petitioner should file Form I-824, Application for Action on an Approved Application or Petition, with this office to request that we send the petition to the Department of State National Visa Center (NVC).

The NVC processes all approved immigrant visa petitions that require consular action. The NVC also determines which consular post is the appropriate consulate to complete visa processing. It will then forward the approved petition to that consulate.

THIS FORM IS NOT A VISA NOR MAY IT BE USED IN PLACE OF A VISA.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

IMMIGRATION & NATURALIZATION SERVICE  
VERMONT SERVICE CENTER  
75 LOWER WELDEN STREET  
SAINT ALBANS VT 05479-0001  
Customer Service Telephone: (800) 375-5283





**EXHIBT B**

## THE UNITED STATES OF AMERICA

|   |                |  |
|---|----------------|--|
| RECEIPT NUMBER<br>EAC-05-187-52588                                    |                | CASE TYPE I485 APPLICATION TO ADJUST TO PERMANENT<br>RESIDENT STATUS   |
| RECEIVED DATE<br>June 17, 2005  | PRIORITY DATE  | APPLICANT A99 075 020<br>KLENIKOV, VLADISLAV N.  |
| NOTICE DATE<br>June 21, 2005  | PAGE<br>1 of 1 |  |
| VLADISLAV N. KLENIKOV<br>444 WEST 35TH STREET 3C<br>NEW YORK NY 10001 |                | Notice Type: Receipt Notice<br><br>Amount received: \$ 385.00<br>Section: Adjustment as direct<br>beneficiary of immigrant<br>petition |

**Receipt notice** - If any of the above information is incorrect, call customer service immediately.

**Processing time** - Processing times vary by kind of case:

- You can check our current processing time for this kind of case on our website at [uscis.gov](http://uscis.gov).
- On our website you can also sign up to get free e-mail updates as we complete key processing steps on this case.
- Most of the time your case is pending the processing status will not change because we will be working on others filed earlier.
- We will notify you by mail when we make a decision on this case, or if we need something from you. If you move while this case is pending, call customer service when you move.
- Processing times can change. If you don't get a decision or update from us within our current processing time, check our website or call for an update.

If you have questions, check our website or call customer service. Please save this notice, and have it with you if you contact us about this case.

**Notice to all customers with a pending I-130 petition** - USCIS is now processing Form I-130, Petition for Alien Relative, as a visa number becomes available. Filing and approval of an I-130 relative petition is only the first step in helping a relative immigrate to the United States. Eligible family members must wait until there is a visa number available before they can apply for an immigrant visa or adjustment of status to a lawful permanent resident. This process will allow USCIS to concentrate resources first on cases where visas are actually available. This process should not delay the ability of one's relative to apply for an immigrant visa or adjustment of status. Refer to [www.state.gov/travel](http://www.state.gov/travel) <<http://www.state.gov/travel>> to determine current visa availability dates. For more information, please visit our website at [www.uscis.gov](http://www.uscis.gov) or contact us at 1-800-375-5283.

Always remember to call customer service if you move while your case is pending. If you have a pending I-130 relative petition, also call customer service if you should decide to withdraw your petition or if you become a U.S. citizen.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

IMMIGRATION & NATURALIZATION SERVICE  
VERMONT SERVICE CENTER  
75 LOWER WELDEN STREET  
SAINT ALBANS VT 05479-0001  
Customer Service Telephone: (800) 375-5283



# THE UNITED STATES OF AMERICA

|  |                |   |  |
|--|----------------|---|--|
| RECEIPT NUMBER<br>EAC-05-187-52599                               |                | CASE TYPE I485 APPLICATION TO ADJUST TO PERMANENT<br>RESIDENT STATUS                                |  |
| RECEIVED DATE<br>June 17, 2005                                   | PRIORITY DATE  | APPLICANT A99 075 021<br>DRONOVA, ELENA V.  |  |
| NOTICE DATE<br>June 21, 2005                                     | PAGE<br>1 of 1 |   |  |
| ELENA V. DRONOVA<br>444 WEST 35TH STREET 3C<br>NEW YORK NY 10001 |                | Notice Type: Receipt Notice<br><br>Amount received: \$ 385.00<br><br>Section: Derivative adjustment |  |

Receipt notice - If any of the above information is incorrect, call customer service immediately.

Processing time - Processing times vary by kind of case.

- You can check our current processing time for this kind of case on our website at [uscis.gov](http://uscis.gov).
- On our website you can also sign up to get free e-mail updates as we complete key processing steps on this case.
- Most of the time your case is pending the processing status will not change because we will be working on others filed earlier.
- We will notify you by mail when we make a decision on this case, or if we need something from you. If you move while this case is pending, call customer service when you move.
- Processing times can change. If you don't get a decision or update from us within our current processing time, check our website or call for an update.

If you have questions, check our website or call customer service. Please save this notice, and have it with you if you contact us about this case.

**Notice to all customers with a pending I-130 petition** - USCIS is now processing Form I-130, Petition for Alien Relative, as a visa number becomes available. Filing and approval of an I-130 relative petition is only the first step in helping a relative immigrate to the United States. Eligible family members must wait until there is a visa number available before they can apply for an immigrant visa or adjustment of status to a lawful permanent resident. This process will allow USCIS to concentrate resources first on cases where visas are actually available. This process should not delay the ability of one's relative to apply for an immigrant visa or adjustment of status. Refer to [www.state.gov/travel](http://www.state.gov/travel) to determine current visa availability dates. For more information, please visit our website at [www.uscis.gov](http://www.uscis.gov) or contact us at 1-800-375-5283.

Always remember to call customer service if you move while your case is pending. If you have a pending I-130 relative petition, also call customer service if you should decide to withdraw your petition or if you become a U.S. citizen.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

IMMIGRATION & NATURALIZATION SERVICE  
VERMONT SERVICE CENTER

75 LOWER WELDEN STREET  
SAINT ALBANS VT 05479-0001

Customer Service Telephone: (800) 375-5283



EXHIBIT C

## Case Status Search

Receipt Number: eac0518752588

Application Type: I485, APPLICATION TO REGISTER PERMANENT RESIDENCE OR TO ADJUST STATUS

Current Status:

This case is now pending at the office to which it was transferred.

The I485 APPLICATION TO REGISTER PERMANENT RESIDENCE OR TO ADJUST STATUS was transferred and is now pending standard processing at a USCIS office. You will be notified by mail when a decision is made, or if the office needs something from you. If you move while this case is pending, please use our Change of Address online tool to update your case with your new address. We process cases in the order we receive them. You can use our processing dates to estimate when this case will be done, counting from when USCIS received it. Follow the link below to check processing dates. You can also receive automatic e-mail updates as we process your case. To receive e-mail updates, follow the link below to register.

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If you have a question about case status information provided via this site, or if you have not received a decision from USCIS within the current processing time listed, please contact the USCIS Customer Service at (800) 375 5283 or 1-800-767-1833 (TTY).

EXHIBT D


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## U.S. Citizenship and Immigration Services

### Vermont Service Center Service Center Processing Dates

### Posted July 16, 2007

**Notice:** U.S. Citizenship and Immigration Services (USCIS) has improved the reporting procedure for processing times of immigration benefit applications. In the past, USCIS benefit processing reports indicated the specific type of applications or petitions that were being processed and the date the cases were received. However, the date the case was received did not provide a clear indication of when USCIS expected to complete the case, nor did it provide a clear indication of USCIS' commitment to process cases within a certain cycle time. It also did not align with the processing times and cycle times the agency reports in other contexts.

This improved reporting procedure is an effort to give our customers more accurate information that better reflects current processing time and USCIS service level commitments. Effective immediately, when we are completing applications and petitions within our service level goals we will report that as the processing time. For example, when our service level goal is to process a particular kind of case within six months, and if our processing time is six months or less, we will show a date consistent with our service level goal because that reflects our commitment.

When we are not meeting our service level goal, the date posted will reflect the filing date of cases that are being completed. It should be noted that while in some instances reported processing dates may appear to have regressed due to this change, they do not reflect a lengthening of USCIS processing times, but simply the change in reporting. Our goal is to provide accurate projections and thus give customers clear expectations as to what they can expect as a processing time.

**There are several important exceptions to the processing times shown below:**

- Case processing will be delayed if we must ask you for more evidence or information.  
If we ask for missing required initial evidence, count the processing time from when we receive that missing evidence.
- The case processing timeframe will start over if a customer doesn't appear for an interview or asks that it be rescheduled.

#### What if I have a problem or have questions about a case?

We offer a variety of services after you file. For example, for most kinds of cases you can [check the status of your case online](#).

For more information about when and how to contact us, whether your case is outside our processing time or if

there are other issues, please see our fact sheet –

Case Services - How do I... know what kind of services are available to me after I file my application or petition?

One additional point about these projections. They are the time to complete processing and mail the actual notice and/or document. If you check case status online and see that your case has been approved, and you haven't yet received your approval notice or document in the mail, we ask that you wait thirty days from the approval date before contacting us. That is because it may take that long before it is returned to us as undeliverable. You can also print the case status online answer for your records.

Service Center Processing Dates for **Vermont Service Center** Posted July 16, 2007

| Form          | Title   | Classification or Basis for Filing  | Now Processing Cases with Receipt Notice Date of |
|---------------|---|---|--|
| <b>I-90</b>   | Application to Replace Permanent Resident Card                            | Initial issuance or replacement   | January 13, 2007                                 |
| <b>I-90A</b>  | Application to Replace Permanent Resident Card                            | Initial issuance or replacement for Special Agricultural Workers (SAW)                        | August 04, 2005                                  |
| <b>I-102</b>  | Application for Replacement/Initial Nonimmigrant Arrival/Departure Record | Initial issuance or replacement of a Form I-94  | April 12, 2007                                   |
| <b>I-129</b>  | Petition for A Nonimmigrant Worker  | H-1B - Specialty occupation - Visa to be issued abroad  | April 02, 2007                                   |
| <b>I-129</b>  | Petition for A Nonimmigrant Worker  | H-1B - Specialty occupation - Change of status in the U.S.                                    | April 02, 2007                                   |
| <b>I-129</b>  | Petition for A Nonimmigrant Worker  | H-1B - Specialty occupation - Extension of stay in the U.S.                                   | April 02, 2007                                   |
| <b>I-129</b>  | Petition for A Nonimmigrant Worker  | H-2A - Temporary workers  | June 30, 2007                                    |
| <b>I-129</b>  | Petition for A Nonimmigrant Worker  | H-2B - Other temporary workers  | June 15, 2007                                    |
| <b>I-129</b>  | Petition for A Nonimmigrant Worker  | H-3 - Temporary trainees  | May 15, 2007                                     |
| <b>I-129</b>  | Petition for A Nonimmigrant Worker  | L - Intracompany transfers  | June 15, 2007                                    |
| <b>I-129</b>  | Petition for A Nonimmigrant Worker  | Blanket L   | May 15, 2007                                     |
| <b>I-129</b>  | Petition for A Nonimmigrant Worker  | O - Extraordinary ability   | May 03, 2007                                     |
| <b>I-129</b>  | Petition for A Nonimmigrant Worker  | P - Athletes, artists, and entertainers   | May 03, 2007                                     |
| <b>I-129</b>  | Petition for A Nonimmigrant Worker  | Q - Cultural exchange visitors and exchange visitors participating in the Irish Peace process | May 15, 2007                                     |
| <b>I-129</b>  | Petition for A Nonimmigrant Worker  | R - Religious occupation  | May 15, 2007                                     |
| <b>I-129</b>  | Petition for A Nonimmigrant Worker  | TN - North American Free Trade Agreement (NAFTA) professional                                 | May 03, 2007                                     |
| <b>I-129F</b> | Petition for Alien Fiance(e)  | K-1/K-2 - Not yet married - fiance and/or dependent child                                     | January 13, 2007                                 |
| <b>I-130</b>  | Petition for Alien Relative   | U.S. citizen filing for a spouse, parent, or child under 21                                   | December 17, 2006                                |
| <b>I-130</b>  | Petition for Alien Relative   | U.S. citizen filing for an unmarried son or   | July 02, 2006                                    |



|       |  |  |                   |
|-------|--|--|-------------------|
|       |  | daughter over 21   |                   |
| I-130 | Petition for Alien Relative  | U.S. citizen filing for a married son or daughter over 21                    | June 04, 2006     |
| I-130 | Petition for Alien Relative  | U.S. citizen filing for a brother or sister                                  | February 05, 2001 |
| I-130 | Petition for Alien Relative  | Permanent resident filling for a spouse or child under 21                    | January 08, 2006  |
| I-130 | Petition for Alien Relative  | Permanent resident filling for an unmarried son or daughter over 21          | June 04, 2006     |
| I-131 | Application for Travel Document  | All other applicants for advance parole                                      | April 14, 2007    |
| I-140 | Immigrant Petition for Alien Worker  | Extraordinary ability  | April 01, 2006    |
| I-140 | Immigrant Petition for Alien Worker  | Outstanding professor or researcher  | April 01, 2006    |
| I-140 | Immigrant Petition for Alien Worker  | Multinational executive or manager   | April 01, 2006    |
| I-140 | Immigrant Petition for Alien Worker  | Schedule A Nurses  | April 01, 2006    |
| I-140 | Immigrant Petition for Alien Worker  | Advanced degree or exceptional ability                                       | April 01, 2006    |
| I-140 | Immigrant Petition for Alien Worker  | Advanced degree or exceptional ability requesting a National Interest Waiver | April 01, 2006    |
| I-140 | Immigrant Petition for Alien Worker  | Skilled worker or professional   | April 01, 2006    |
| I-140 | Immigrant Petition for Alien Worker  | Unskilled worker   | April 01, 2006    |
| I-212 | Application for Permission to Reapply for Admission into the U.S. After Deportation or Removal | Readmission after deportation or removal                                     | June 14, 2006     |
| I-360 | Petition for Amerasian, Widow(er), or Special Immigrant  | Violence Against Women Act (VAWA)  | August 28, 2006   |
| I-360 | Petition for Amerasian, Widow(er), or Special Immigrant  | All other special immigrants   | June 02, 2006     |
| I-485 | Application to Register Permanent Residence or to Adjust Status                                | Employment-based adjustment applications                                     | July 26, 2006     |
| I-539 | Application to Extend/Change Nonimmigrant Status   | Change of status to H or L dependents  | March 27, 2007    |
| I-539 | Application to Extend/Change Nonimmigrant Status   | Change status to the F or M academic or vocational student categories        | March 27, 2007    |
| I-539 | Application to Extend/Change Nonimmigrant Status   | Change Status to the J exchange visitor category                             | March 27, 2007    |
| I-539 | Application to Extend/Change Nonimmigrant Status   | All other change of status applications                                      | March 27, 2007    |
| I-539 | Application to Extend/Change Nonimmigrant Status   | Extension of stay for H and L dependents                                     | March 27, 2007    |
| I-539 | Application to Extend/Change Nonimmigrant Status   | Extension of Stay for F or M academic or vocational students                 | March 27, 2007    |
| I-539 | Application to Extend/Change Nonimmigrant Status   | Extension of Stay for J exchange visitors                                    | March 27, 2007    |
| I-539 | Application to Extend/Change Nonimmigrant Status   | All other extension applications   | March 27, 2007    |

|       |  |   |                    |
|-------|--|---|--------------------|
| I-612 | Application for Waiver of the Foreign Residence Requirement                | Application for a waiver of the 2-year foreign residence requirement based on exceptional hardship or persecution | September 05, 2006 |
| I-751 | Petition to Remove the Conditions on Residence                             | Removal of lawful permanent resident conditions (spouses of U.S. citizens and lawful permanent residents)         | January 03, 2007   |
| I-765 | Application for Employment Authorization                                   | Based on a request by a qualified F-1 academic student. [(c)(3)]  | April 28, 2007     |
| I-765 | Application for Employment Authorization                                   | Based on a pending asylum application [(c)(8)]  | June 16, 2007      |
| I-765 | Application for Employment Authorization                                   | Based on a pending I-485 adjustment application [(c)(9)]  | April 28, 2007     |
| I-765 | Application for Employment Authorization                                   | Based on TPS for Honduras/Nicaragua [(c)(19), (a)(12)]  | April 28, 2007     |
| I-765 | Application for Employment Authorization                                   | Based on TPS for El Salvador [(c)(19)(a)(12)]   | April 28, 2007     |
| I-765 | Application for Employment Authorization                                   | All other applications for employment authorization   | April 28, 2007     |
| I-817 | Application for Family Unity Benefits                                      | Voluntary departure under the family unity program  | December 29, 2005  |
| I-821 | Application for Temporary Protected Status                                 | El Salvador initial or late filing  | July 01, 2006      |
| I-821 | Application for Temporary Protected Status                                 | El Salvador extension   | July 01, 2006      |
| I-821 | Application for Temporary Protected Status                                 | Honduras and Nicaragua initial or late filing   | July 01, 2006      |
| I-821 | Application for Temporary Protected Status                                 | Honduras and Nicaragua extension  | July 01, 2006      |
| I-824 | Application for Action on an Approved Application or Petition              | To request further action on an approved application or petition  | January 13, 2007   |
| N-600 | Application for Certification of Citizenship                               | Application for recognition of U.S. citizenship   | February 08, 2007  |
| N-643 | Application for Certification of Citizenship on Behalf of an Adopted Child | Application for recognition of U.S. citizenship on behalf of an adopted child                                     | January 13, 2007   |



U.S. Department of Homeland Security  
Texas Service Center  
P.O. Box 851488  
Mesquite, TX 75185-1488



**U.S. Citizenship  
and Immigration  
Services**

Thursday, June 14, 2007

VLADISLAV NIKOLAEVICH KLENIKOV  
444 W 35TH ST, APT 3C  
NEW YORK NY 10001

Dear VLADISLAV NIKOLAEVICH KLENIKOV:

On 03/06/2007 you, or the designated representative shown below, contacted us about your case. Some of the key information given to us at that time was the following:

|   |                                       |
|---|---------------------------------------|
| <b>Person who contacted us:</b>                     | GRIESCH, KIM                          |
| <b>Caller indicated they are:</b>                   | Attorney or Authorized Representative |
| <b>Attorney Name:</b>                               | KIM GRIESCH                           |
| <b>Case type:</b>                                   | I485                                  |
| <b>Filing date:</b>                                 | Information not available             |
| <b>Receipt #:</b>                                   | EAC-05-187-52588                      |
| <b>Beneficiary (if you filed for someone else):</b> | KLENIKOV, VLADISLAV, NIKOLAEVICH      |
| <b>Your USCIS Account Number (A-number):</b>        | A99075020                             |
| <b>Type of service requested:</b>                   | Outside Normal Processing Times       |

The status of this service request is:

The processing of your application has been delayed. All petitions/applications received by this Service are required to have routine security checks that are resulting in delays of the adjudication of petitions/applications. We can give no definite indication of when they will be completed. We apologize for the delay.

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If you have any further questions, please call the National Customer Service Center at 1-800-375-5283.

Please remember: By law, every person who is not a U.S. citizen and who is over the age of 14 must also notify the Department of Homeland Security within 10 days from when they move (persons in "A" or "G" nonimmigrant status are exempt from this requirement). If you have moved, please complete a Form AR-11 and mail it to the address shown on that form. If you do not have this form, you can download it from our website or you can call the National Customer Service Center at 1-800-375-5283 and we can order one for you. If you move, please call us with your new address information as soon as your move is complete. If you have already called us and given us this information, you do not need to call again.

U.S. Citizenship and Immigration Services  
cc: KIM GRIESCH